

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO.450 OF 1998

PRUTHVISINH VAJESINH DABHI

VERSUS

STATE OF GUJARAT & ANR.

Appearance:

MR RV DESAI for the Petitioner

CORAM: MR.JUSTICE S.K.KESHOTE

Date of Order: 09/02/1998

C.A.V. ORDER

Having heard the learned counsel for the petitioner, I am satisfied that the petitioner has approached to this Court at an early stage. Admittedly, in respect of the grievances made by petitioner in this Special Civil Application, a demand notice has been sent by him through the General Secretary of Shramjivi Kamdar Sangh, Gujarat State, on 11.8.97 to the Principal Chief Conservator of Forests of the Government of Gujarat at Gandhinagar, and on that notice, decision has not been taken so far. When the Union has taken up the matter for espousing the cause of the petitioner and from this writ petition I also find that the petitioner is claiming the benefits under many of the provisions of the Industrial Disputes Act, 1947, this writ petition is wholly misconceived. Even if on the notice for demand made for the petitioner by the Union, some adverse decision has been taken, then the petitioner will have remedy of raising industrial dispute. So this writ petition is summarily dismissed.

2. However, it is expected of the respondent No.2 to decide the notice of demand sent for the petitioner through Union, within a reasonable time, say within three months from the date of receipt of certified copy of this order. If the demands made for the petitioner by the Union are acceptable, then the consequential benefits which may be available to the petitioner in accordance with law may be given. Where the demands made for the petitioner by the Union are not acceptable, a reasoned

order may be passed and a copy of the same may be sent to the Union, who made demands and in that case, it shall be open to it to raise industrial dispute in the matter.

(S.K.Keshote, J)

(sunil)